

INDEX NO: 07 CV 11586

FILED ON:

DISTRICT: Southern/New York

COUNTY OF

UNITED STATES DISTRICT COURT

*Amusement Industry, Inc., a California corporation dba Westland Industries, et ano*

vs

Plaintiff(s)

*Moses Stern, an individual aka Mark Stern; et al*

Defendant(s)

STATE OF NEW YORK, COUNTY OF ALBANY, SS.:

**AFFIDAVIT OF SERVICE  
BY THE SECRETARY OF STATE**

Stephen L. Collen, being duly sworn, deposes and says: deponent is over the age of eighteen (18) years; that on January 2, 2008, at 4:00pm, at the office of the Secretary of State of the State of New York in the City of Albany, New York, deponent served the annexed Summons in a Civil Action with Complaint and Civil Cover Sheet

First Republic Group LLC h/s/a First Republic Group Realty LLC

Defendant in this action, by delivering to and leaving with Chad Matice, Authorized Agent, in the Office of the Secretary of State of the State of New York, personally at the Office of the Secretary of State of the State of New York, two (2) true copies thereof and that at the time of making such service, deponent paid said Secretary of State the statutory fee, if required. Service was made pursuant to Section 303 Limited Liability Company Law.

☐ Service was completed by mailing notice of such service and one (1) true copy thereof by ☐ Registered or ☐ 1st Class Mail and Certified Mail, # , Return Receipt Requested on to said defendant at:

Papers so served were properly endorsed with the index number and date of filing.

Deponent further says that deponent knew the person so served as aforesaid to be the agent in the Office of the Secretary of State of the State of New York, duly authorized to accept such service on behalf of said defendant.

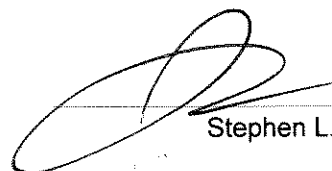
Description of the person served: Approx. Age: 25 years Approx. weight: 190 Approx. Ht.: 6'2'

Sex: Male Color of skin: White Color of hair: Brown Other: Glasses

Sworn to before me on January 2, 2008



MARCY A. O'HARE  
NOTARY PUBLIC, State of New York  
No. 4865530, Qualified in Albany County  
Term Expires July 14, 2010



Stephen L. Collen

Invoice•Work Order # 0800001

RR



AO 440 (Rev. 10/93) Summons in a Civil Action

## RETURN OF SERVICE

SERVICE OF: **SUMMONS, COMPLAINT, CIVIL COVER SHEET**  
EFFECTED (1) BY ME: **OUT OF STATE**  
TITLE: **PROCESS SERVER**

DATE:

1/2/08

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☒ Served personally upon the defendant:FIRST REPUBLIC GROUP <sup>LLC</sup> REALTY CO SECRETARY OF STATE

Place where served:

Chad Matice  
Secretary of State, 40 State St., Albany NY☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Relationship to defendant:

Description of person accepting service:

SEX: M AGE: 25 HEIGHT: 6'2" WEIGHT: 190 SKIN: White HAIR: Brown OTHER: Glasses☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

## STATEMENT OF SERVER

TRAVEL \$ \_\_\_\_\_

SERVICES \$ \_\_\_\_\_

TOTAL \$ \_\_\_\_\_

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

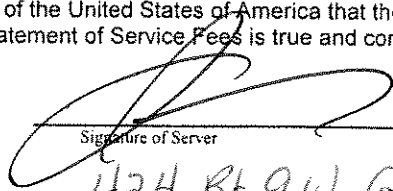
DATE: 01/02/2008

L.S.

SIGNATURE OF OUT OF STATE  
GUARANTEED SUBPOENA SERVICE, INC.  
2009 MORRIS AVENUE  
UNION, NJ 07083

ATTORNEY: MARC D. YOUNGELSON, ESQ.  
PLAINTIFF: AMUSEMENT INDUSTRY, INC., ET AL  
DEFENDANT: MOSES STERN, ET AL  
VENUE: SOUTHERN DISTRICT OF NEW YORK  
DOCKET: 07 CV 11586

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

RETURN OF SERVICE		
Service of the Summons and Complaint was made by me	DATE <u>01/02/2008</u>	
NAME OF SERVER <u>Stephen L. Collen</u>	TITLE	
Check one box below to indicate method of service		
<p><input checked="" type="checkbox"/> Served personally upon the defendant, Place where served:  <u>Office of the Secretary of State, 41 State St., Albany NY</u></p> <p><input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.</p> <p style="padding-left: 40px;">Name of person with whom the summons and complaint were left:</p> <p><input type="checkbox"/> Returned unexecuted:</p> <p><input type="checkbox"/> Other (specify):</p>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between; align-items: flex-start; margin-top: 20px;"> <div style="width: 45%;"> <p>Execution on <u>01/02/2008</u></p> <p>Date</p> </div> <div style="width: 50%; text-align: center;">   <p>Signature of Server</p> <p><u>424 Rt. 9 W, Glenmont NY 12077</u>  Address of Server</p> </div> </div>		

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.